

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1491

By: DeWitt

4  
5 AS INTRODUCED

6 An Act relating to motor vehicles; amending 47 O.S.  
7 2001, Section 156.1, as last amended by Section 18,  
8 Chapter 326, O.S.L. 2007 (47 O.S. Supp. 2008, Section  
9 156.1), which relates to the use of state-owned  
10 vehicles; authorizing employees of the Oklahoma  
Department of Agriculture, Food, and Forestry to use  
state vehicles in certain circumstances; and  
providing an effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 47 O.S. 2001, Section 156.1, as  
15 last amended by Section 18, Chapter 326, O.S.L. 2007 (47 O.S. Supp.  
16 2008, Section 156.1), is amended to read as follows:

17 Section 156.1 A. It shall be unlawful for any state official,  
18 officer, or employee, except any essential employees approved by the  
19 Governor and those officers or employees authorized in subsection B  
20 of this section, to ride to or from the employee's place of  
21 residence in a state-owned automobile, truck, or pickup, except in  
22 the performance of the employee's official duty, or to use or permit  
23 the use of any such automobile, truck, ambulance, or pickup for  
24 other personal or private purposes. Any person convicted of

1 violating the provisions of this section shall be guilty of a  
2 misdemeanor and shall be punished by a fine of not more than One  
3 Hundred Dollars (\$100.00) or by imprisonment in the county jail for  
4 a period to not exceed thirty (30) days, or by both said fine and  
5 imprisonment, and in addition thereto, shall be discharged from  
6 state employment.

7       B. 1. Any state employee, other than the individuals provided  
8 for in paragraph 2 of this subsection and any employee of the  
9 Department of Public Safety who is an employee in the Driver License  
10 Examining Division and the Driver Compliance Division or a wrecker  
11 inspector/auditor of the Wrecker Services Division as provided for  
12 in paragraph 3 of this subsection, who receives emergency telephone  
13 calls regularly at the employee's residence when the employee is not  
14 on duty and is regularly called upon to use a vehicle after normal  
15 work hours in response to such emergency calls, may be permitted to  
16 use a vehicle belonging to the State of Oklahoma to provide  
17 transportation between the employee's residence and the assigned  
18 place of employment, provided such distance does not exceed seventy-  
19 five (75) miles in any round trip or is within the county where the  
20 assigned place of employment is located. Provided further, an  
21 employee may be permitted to use a state-owned vehicle to provide  
22 temporary transportation between a specific work location other than  
23 the assigned place of employment and the employee's residence, if  
24 such use shall result in a monetary saving to the agency, and such

1 authorization shall not be subject to the distance or area  
2 restrictions provided for in this paragraph. Authorization for  
3 temporary use of a state-owned vehicle for a specific project shall  
4 be in writing stating the justification for this use and the saving  
5 expected to result. Such authorization shall be valid for not to  
6 exceed sixty (60) days. Any state entity other than law enforcement  
7 that avails itself of this provision shall keep a monthly record of  
8 all participating employees, the number of emergency calls received,  
9 and the number of times that a state vehicle was used in the  
10 performance of such emergency calls.

11 2. Any employee of the Department of Public Safety, Oklahoma  
12 State Bureau of Narcotics and Dangerous Drugs Control, Oklahoma  
13 State Bureau of Investigation, Alcoholic Beverage Laws Enforcement  
14 Commission, Oklahoma Horse Racing Commission, Oklahoma Department of  
15 Agriculture, Food, and Forestry, Office of the Inspector General  
16 within the Department of Human Services or Office of the State Fire  
17 Marshal, who is a law enforcement officer or criminalist, Public  
18 Information officer, Special Investigator or Assistant Director of  
19 the Oklahoma State Bureau of Investigation, or any employee of a  
20 district attorney who is a law enforcement officer, may be permitted  
21 to use a state-owned vehicle to provide transportation between the  
22 employee's residence and the assigned place of employment and  
23 between the residence and any location other than the assigned place  
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1 of employment to which the employee travels in the performance of  
2 the employee's official duty.

3 3. Any employee of the Department of Public Safety who is an  
4 employee in the Driver License Examining Division or the Driver  
5 Compliance Division or a wrecker inspector/auditor of the Wrecker  
6 Services Division may be permitted, as determined by the  
7 Commissioner, to use a state-owned vehicle to provide transportation  
8 between the employee's residence and the assigned place of  
9 employment and between the residence and any location other than the  
10 assigned place of employment to which the employee travels in the  
11 performance of the employee's official duty.

12 4. The Director, department heads and other essential employees  
13 of the Department of Wildlife Conservation, as authorized by the  
14 Wildlife Conservation Commission, may be permitted to use a state-  
15 owned vehicle to provide transportation between the employee's  
16 residence and the assigned place of employment and between the  
17 residence and any location other than the assigned place of  
18 employment to which the employee travels in the performance of the  
19 employee's official duty.

20 C. The principal administrator of the state agency with which  
21 the employee is employed shall so designate the employee's status in  
22 writing or provide a copy of the temporary authorization to the  
23 Governor, the President Pro Tempore of the Senate, and the Speaker  
24 of the House of Representatives. Such employee status report shall

1 also be provided to the State Fleet Manager of the Division of Fleet  
2 Management if the motor vehicle for emergency use is provided by  
3 said Division.

4 SECTION 2. This act shall become effective November 1, 2009.

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